

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 25 and 31-32. Applicant respectfully submits no new matter has been added. Accordingly, claims 17-37 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Objections

Claims 31 and 32 are objected to because of informalities. The applicant has corrected the noted informalities. Other informalities were corrected in claim 25.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 17-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ho et al. (US 6,091,953 hereinafter Ho) in view of Naqvi et al. (US 6,850,763, hereinafter Naqvi). The Applicant respectfully traverses the rejection of these claims.

The Ho reference is cited for disclosing dynamic allocation of a circuit pathway and for a dispatching switch allegedly reading on the Applicant's claimed media gateway (MGW). The Applicant respectfully submits that the dispatching switch actually fails to read on a media gateway. The dispatching switch in the Ho reference is a switch positioned between a plurality of MSC's and a plurality of BSC's. The purpose of the dispatching switch is to route signaling messages between a plurality of base station subsystems and a plurality of mobile switching centers (Col. 20, lines1-6). The difference between the Ho "dispatching switch" and a media gateway is that the dispatching switch routes signaling messages, and the MGW is routing data. A Media Gateway is a node in a wireless network which terminates media streams from switched circuit networks and packetizes the data in IP packets for delivery to the IP based network (Newton's Telecom Dictionary).

Additionally, Ho discloses message routers (1718) and/or dispatching switches that are alleged to provide the same function as the media gateway selection node (MGWSN) of the Applicant's invention. Upon review of the cited portions (col. 21, lines

7-18; col. 18, lines 36-41, Figs. 1, 14, 17) of the Ho reference, the Applicant respectfully submits that the message routers route signaling messages between BSC's and multi-service network (1712). A signaling path appears to be set up between the MSC and a BSC whereupon a paging signal to initiate immediate assignment of a mobile unit to the MSC is sent from the MSC to the mobile unit. (Col. 21, lines 5-17) In fact, the Ho reference is all about signaling message routing, not providing circuit pathways for routing and transferring data traffic. Indirectly, routing the signaling messages may help balance loading, but the data loading is accomplished in a process well known in the art.

As disclosed in the Applicant's invention, each circuit pathway typically has an associated Circuit Identity Code (CIC) stored in the MGWSDB. Upon request from one MSC in of a pool of MSCs, the MGWSN selects an available circuit pathway to a mobile unit that is coupled with a particular (target) base station. The circuit pathway, identified by a unique CIC, includes the BSC and a connecting Media Gateway (MGW). The MGWSN returns the identity of the MGW and the CIC, to the requesting MSC. Using the available circuit pathway identified by the CIC, a connection is made from the requesting MSC to the selected MGW and to the requested BSC. (Page 7-8, para. 23). The purpose and focus of the Applicant's invention is to eliminate the need for dedicated circuit pathways between BSCs and MSCs.

The Ho reference does not mention a CIC for identifying an available circuit pathway. In the Applicant's disclosure, the MGWSDB is populated with the CIC codes identifying circuit pathways and the current status of each pathway. Admittedly, when a mobile unit attaches to the system in the Ho reference, an addressing table is updated to reflect the assignment (Col. 6, lines 19-24). This table could read on a database. However, as noted in the description of an alternate embodiment when the dispatching switch is a message router, the importance of a table or database is negligible and no addressing table is necessary (Col. 6, lines 38-39). In fact, the address table in the dispatching switch is merely a reflection of the address tables in the VLR and the HLR.

As pointed out earlier, Media Gateways are not utilized in the Ho reference and the multiple message routers and/or dispatching switches are providing signaling

connections between the MSC and BSC; not data pathways. Therefore, the dispatching switch of the Ho reference cannot be equivalent to the media gateway of the Applicant's invention.

As stated above, the Ho reference appears to disclose a communication system for distributing signaling messages in a scalable wireless network. A dispatching switch couples the base station system (BSS) to the plurality of mobile switching centers (MSC) and is responsible for assigning the mobile units to the MSCs. The dispatching switch assigns each mobile unit to an MSC so as to equalize loading among the MSCs and also routes communications between the BSS and the MSCs (Abstract, Col. 6, lines 7-15). In contrast to the Applicant's invention, which does not assign mobile units, the dispatching switch in the Ho reference determines the loading on the MSCs and assigns mobile units to the appropriate MSC to distribute the load.

In the Detailed Action, the MGWSN of the Applicant's invention is characterized as equivalent to the dispatching switch of Ho. The Applicant respectfully disagrees with the characterization. In the Applicant's invention, a MSC seeks to connect to a particular mobile unit through a specific BSC. The MGWSN checks a connected database to determine an available (non-busy) circuit between the MSC and the BSC. The MGWSN, utilizing the CIC of the available circuit pathway, routes the connection between the MSC and BSC via a media gateway (not utilized in the Ho reference) to a BSC requested by the MSC (page 7, para. 22). This is the reverse of the Ho reference where the dispatching switch seeks to balance the load on a pool of MSCs by assigning mobile units to lightly loaded MSCs. (Col 5, lines 20-23, Col. 6, lines 1-11).

The Naqvi reference appears to disclose a proxy switch and logic for offloading mobile traffic to an alternative network (Summary). Naqvi is cited for reading on the media gateway (MGW) selection node of the Applicant's present invention. The proxy switch has a MGW controller and it is stated that a MGW selection database would be inherent for the proxy switch to select between media gateways of the data plane. However, the proxy switch is disclosed as siphoning off traffic to another network instead of sending the traffic from the BSC to the MSC (Col. 5, lines 20-30). This being

the case, the proxy switch in Naqvi is not equivalent to the MGW of the Applicant's invention.

The Applicant respectfully submits that the Applicant's invention, as disclosed and claimed by the present application is not rendered obvious by either of the cited references. Moreover, the steps of: consulting a MWGSDB for an available pathway between a switch and an access node, identifying a target access node and associated CIC and then sending the identity of a selected MGW and the CIC to the requesting switch are not disclosed or taught anywhere in the cited references. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claim 17 and the respective dependent claims.

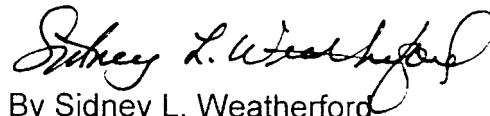
The applicant respectfully submits that the limitations recited in claims 25 and 30 are analogous to the limitations recited in claim 17. Thus, claims 25 and 30 and all claims dependent therefrom are distinguishable from the Ho and Naqvi references and a withdrawal of the rejection of these claims is respectfully requested

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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